

सुधारित विकास योजना - गंगाखेड

महाराष्ट्र प्रादेशिक नियोजन व नगररचना
अधिनियम, १९६६ चे कलम ३१ अन्यथे मंजूरी
व पुनर्प्रसिद्धी...

महाराष्ट्र शासन

नगर विकास विभाग

शासन निर्णय क्र. टिपीएस-३१०५/१३५७/प्र.क्र.२०६/२००५/नवि-३०

मंत्रालय, मुंबई - ३२.

दि. १७ जुलै, २००६.

पहा :- १) मुख्याधिकारी, गंगाखेड नगर परिषद यांचे पत्र क्र.
प्रा.वि.यो./न.प.ग./२३०९, दिनांक २० सप्टेंबर, २००५.

२) संचालक नगररचना, महाराष्ट्र राज्य, पुणे यांचे पत्र क.
वियो-गंगाखेड (सु+वा.क्षे.)/छाननी/टीपीही-५/९५९९, दिनांक २१
डिसेंबर, २००५.

शासन निर्णय :- सोबतची अधिसूचना / सूचना महाराष्ट्र शासन असाधारण राजपत्रात
प्रसिद्ध करावी.

महाराष्ट्राचे राज्यपाल यांचे आदेशानुसार व नांवाने,


(शिवाजी पाटणकर)
महाराष्ट्र शासनाचे अवर सचिव

प्रति,

विभागीय आयुक्त, औरंगाबाद विभाग, औरंगाबाद.

जिल्हाधिकारी, परभणी.

संचालक नगररचना, महाराष्ट्र राज्य, पुणे.

उपसंचालक नगररचना, औरंगाबाद विभाग, औरंगाबाद.

सहायक संचालक नगररचना, परभणी शाखा, परभणी.

मुख्याधिकारी, गंगाखेड नगर परिषद, जिल्हा परभणी.

व्यवस्थापक, शासकीय मुद्रणालय औरंगाबाद.

त्यांना विनंती करण्यात येते की, सोबतची अधिसूचना / सूचना महाराष्ट्र शासनाच्या
असाधारण राजपत्रात प्रसिद्ध करून तिच्या प्रत्येकी ५ प्रती या विभागास व संचालक नगर
रचना, महाराष्ट्र राज्य, पुणे यांना पाठवाव्यात.

कृपा अधिकारी, (नवि-२९) यांना विनंती करण्यात येते की, त्यांनी प्रस्तुत अधिसूचना
वेबसाईटवर प्रसिद्ध करावी.

निवड नस्ती, कार्यासन नवि-३०.

Revised Development Plan - Gangakhed
Sanction under section 31 of the
Maharashtra Regional & Town Planning
Act, 1966.

NOTIFICATION
Government Of Maharashtra
Urban Development Department
Mantralaya, Mumbai - 400 032.

Dated : 17th July, 2006.

No.:TPS-3105/1357/CR-206(A)/2005/UD-30 :Whereas, the Gangakhed Municipal Council (hereinafter referred to as "the said Municipal Council") being the Planning Authority (herein after referred to as "the said Planning Authority") (under clause (19) of Section 2 of the Maharashtra Regional & Town Planning Act, 1966 (Maharashtra Act No.XXXVII of 1966) (hereinafter referred to as "the said Act")) has by its Resolution No.3/1, dated 14th February, 1997 declared its intention under Section 38 with section 34 read with sub Section (1) of the Section 23 of the Said Act to prepare Draft Development Plan (Revised for Original Limit and for Additional Area) included under Gangakhed Municipal Council's jurisdiction Under Government Notification Urban development and Public Health Department No. MUM/2683/1016/CR-305/85/UD-16, dated 6th August, 1996 & Notice of such declaration was published on Page No.1448 of Maharashtra Government Gazette dated 27th November, 1997, (Part 1-A), Aurangabad Division, Aurangabad supplement;

And whereas the said Municipal Council after carrying out a survey of land within its jurisdiction as required under Section 25 of said Act, prepared & published a notice in Maharashtra Government Gazette, dated 16th October, 2003 at Page No.50 & 51 under Sub Section (1) of Section 26 of the said Act inviting objections and suggestions to the Draft Development Plan for the area of Gangakhed (hereinafter referred to as "the said Development Plan") prepared by it ;

And whereas, after considering the suggestions and objections received from the general public to the published Draft Development Plan, the Planning Committee prepared the report and submitted it to the Planning Authority. Planning Authority has made some modifications under Section 28(4) of the said Act to the said Development Plan vide its Resolution No.2, dated 1st December, 2004 ;

And whereas, the modifications proposed in the said Development Plan by the said Planning Authority are of the substantial nature, the said Planning Authority has published the modifications under Section 29 of the said Act for inviting objections and suggestions thereon from the public, the notification to that effect was published at Page No.5. & 6 in the Maharashtra State Gazette Part 1A, Aurangabad Division, Aurangabad supplement Dated 10th February, 2005 ;

And whereas, after hearing the suggestions and objections received to the modifications of substantial nature the said Planning Authority has made some modifications in the said Development Plan under sub Section (4) of Section 28 of the said Act & has submitted the said Development Plan on 20th July, 2005 by letter No.1832 to the Government for sanction under Section 30 of the said Act under sub Section (4) of Section 28 of the said Act and has submitted the said Development Plan on 20th September, 2005 by letter No.2309 to the Government for sanction under Section 30 of the said Act ;

And whereas, in accordance with provisions of Sub Section (1) of Section 31 of the said Act the State Government after making necessary enquiry and after consulting with the Director of Town Planning, Maharashtra State, Pune has decided to sanction a part of the said Development Plan of the said Municipal Council excluding the part shown bounded pink on the plan (hereinafter referred to as "the said Excluded Part of the said Development Plan") subject to modifications which are considered to be of substantial nature as specified in Schedule annexed here to (Part-II).

Now therefore in exercise of the powers conferred by Sub Section (1) of Section 31 of the Said Act, and of all other powers enabling it in that behalf the Government of Maharashtra hereby -

(i) Sanctions the said Development Plan excluding the part shown in the Pink colour subject to the modifications shown in the Mauve Colour on the same Development Plan and specified in the Schedule of modifications Part - I,

(ii) Fixes 1st September, 2006 to be the date on which final Development Plan for area of Gangakhed excluding the said excluded part of the Draft Development Plan shall come in to force.

Note :- (1a) Areas of reserved sites mentioned in the report of the Development Plan are approximate and subject to actual measurement on site as per boundaries shown on the final Development Plan.

(1b) The reservations / allocations which have not appeared in schedule of proposed substantial modifications Part II are hereby sanctioned for the respective purposes as designated in the Development Plan.

Note :- (2) Those open spaces from sanctioned layouts that are demarcated as existing open spaces (in Green colour) on Development Plan are subject to change if respective layouts are revised. If the layout is revised and if open space is shown elsewhere in residential-zone, then the existing open space in the layout as shown on Development Plan be treated as Residential Zone with prior approval of Deputy Director of Town Planning, Aurangabad Division, Aurangabad.

Note :- (3) Draftsman errors which are required to be corrected as per actual situation on site / or as per survey records, sanction layouts etc. shall be corrected by the Chief Officer, Municipal Council, Gangakhed after due verification and with prior approval of the Director of Town Planning, Maharashtra State, Pune.

Note :- (4) The lands in Industrial Zone as mention in Development Control Rule are allowed to be developed for residential user if the owner so desire, but amenity space of 10 % of total land beside open space should be kept. The Chief Officer should be independently entertain development permission subject to condition that there should be an appropriate buffer open space of required width from the adjacent industrial boundary / zone, to be left within the land to be used for residential use.

Note :- (5) The aforesaid final Development Plan excluding the said excluded part as sanctioned by the State Government be kept open for inspection by the general public during working hours on all working days for a period of one year in the office of Chief Officer Gangakhed Municipal Council, Dist. Parbhani.

Note :- (6) The Private or rental premises Designated in public Semi public zone will be continue to be in this zone as long as public Semi public user exists otherwise land shall be considered to be included in adjoining major use zone subject however to prior approval of the Director of Town Planning, Maharashtra State, Pune shall be necessary.

Note :- (7) This Notification is also available on Departments web site www.urbangov.in

By order and in the name of Governor of Maharashtra,


(Shivaji Patankar)

Under Secretary to Government.

SCHEDULE OF MODIFICATIONS

Development Plan, Gangakhed (R + AA)

Accompaniment of Notification No. TPS-3105/1357/CR-206/AY2005/UD-30

Dated 17th July, 2006.

Part I

Sr. No	Modification No.	Site Location	No./ manner of development	Proposal as per plan published under Section 26 of the Maharashtra Regional & Town Planning Act 1966	Proposal as per plan submitted to Government for sanction under Section 30 of the Maharashtra Regional & Town Planning Act 1966	Proposal as approved by the Government under Section 31 of the Maharashtra Regional & Town Planning Act 1966
1	2	3	Site No. 50	Parking & Shopping Centre	5	Parking & Shopping Centre
1	M-1	Land users & of the land & developed Dispensary /Maternity home or the owner may be permitted to developed the amenities as per norms prescribed by the divisional Deputy Director of Town Planning on i) 15% of the reserved plot in case of dispensary ii) 25% of the reserved plots in case of Maternity home and iii) 30% of the reserved plots if both amenities are combined these development by the owner shall be further and subject to his agreeing to hand over the builtup area of the amenities of aforesaid to the Municipal Council free of cost thereafter the remaining plots/buildings may be put to use in conformity with the development permissible in the adjacent land and permissible FSI of the reserved plot without taking in to account the area utilised for dispensary/maternity home as the case may be	The municipal Council may acquire the land & developed the Dispensary /Maternity home or the owner may be permitted to developed the amenities as per norms prescribed by the divisional Deputy Director of Town Planning on i) 10% of the reserved plot in case of dispensary ii) 20% of the reserved plots in case of Maternity home and iii) 25% of the reserved plots if both amenities are combined these development by the owner shall be further and subject to his agreeing to hand over the builtup area of the amenities as aforesaid to the Municipal Council free of cost thereafter the remaining plots/buildings may be put to use in conformity with the development permissible in the adjacent land and permissible FSI of the reserved plot without taking in to account the area utilised for dispensary/maternity home as the case may be	6	Site No. 50 is redesignated as "Parking" as shown on Plan	

Revised Development Plan - Gangakhed
Republication under section 31 of the
Maharashtra Regional & Town Planning
Act, 1966.

NOTICE
Government Of Maharashtra
Urban Development Department
Mantralaya, Mumbai - 400 032.

Dated : 17th July, 2006.

No.:TPS-3105/1357/CR-206(B)/2005/UD-30 :Whereas, the Gangakhed Municipal Council (hereinafter referred to as "the said Council") being the Planning Authority for the area under its jurisdiction under clause 19 of section 2 of the Maharashtra Regional and Town Planning Act 1966 (Maharashtra Act No. XXXVII of 1966) (hereinafter referred to as "the said Act") has by its Resolution No. 3 dated 4th February 1997 declared its intention under section 38 with section 34 read with sub Section (1) of Section 23 of the said Act to prepare Revised Development Plan for the area (Revised + Additional area) within its old Municipal limit as well as for the Additional area within its jurisdiction included under Government Notification Urban Development and Public Health Department No. MUM/2683/1016/CR-305/95/UD-16, dated 6th August 1996 (hereinafter referred to as "the said Additional Area") and notice of such declaration was published in the Maharashtra Government Gazette, Aurangabad Division supplement dated 27th November 1997 on page No. 1448;

And whereas, the said Municipal Council after carrying out survey of the land within its jurisdiction as required under section 25 of the said Act has prepared and published a notice in the Maharashtra Government Gazette, Aurangabad Division supplement part I-A dated 16th October 2003 on page no. 50 and 51 under sub-Section (1) of Section 26 of the said Act inviting objections and suggestions from the general public to the Revised Draft Development Plan of the area within the old Municipal limit as well as the said Additional Area (hereinafter referred to as "the said Development Plan of Gangakhed (R + AA)") prepared by it;

And whereas, the said Council has received Suggestions/Objections from the general public on the proposals of the said Development Plan of Gangakhed (R + AA);

And whereas, the said Council, after considering Suggestions and Objections received from the general public has modified the said Development Plan of Gangakhed (R + AA) and submitted it on 7th November 2005 by the letter dated the 20th September 2005 to the State Government for sanction under Section 30 of the said Act;

And whereas, in accordance with provisions of sub-Section (1) of Section 31 of the said Act, the said Development Plan of Gangakhed (R + AA) is required to be sanctioned by the State Government not later than one year from the date of receipt from the Planning Authority or within any such further period extended by the State Government in accordance with the proviso to the sub-Section (1) of Section 31 of the said Act;

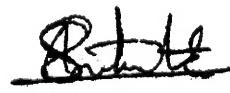
And whereas, the Government in Urban Development Department vide its Notification No. :TPS-3105/1357/CR-206(A)/2005/UD-30, dated 17th July, 2006 has sanctioned the part of the said Development Plan of Gangakhed (R + AA) excluding some part as shown on Plan (numbered as EP-1, EP-2, etc.) verge in Pink Colour (hereinafter referred to as "the said Excluded Part");

And whereas, the Government of Maharashtra has proposed certain modifications in the said Excluded Part of the said Development Plan of Gangakhed (R + AA) which are considered to be of substantial nature;

Now, therefore, in exercise of the powers conferred by the sub-Section (1) of Section 31 of the said Act and of all other powers enabling it in that behalf, the Government of Maharashtra hereby :-

- (a) gives a Notice announcing its intention to make certain modifications in the said Excluded Part of the said Development Plan of Gangakhed (R + AA) as described in the Schedule (Part I) appended hereto, as EP-1,EP-2, to EP-20.
- (b) directs that, the copy of the Plan showing proposed Modifications in the said Excluded Part of the said Development Plan of Gangakhed (R + AA) should be kept open for public inspection on all working days in the Office of -
 - (i) The Deputy Director of Town Planning, Aurangabad Division, Aurangabad
 - (ii) The Chief Officer, Gangakhed Municipal Council, Dist. Parbhani
- (c) invites suggestions and objections from any person in respect of proposed substantial modifications within a period of 60 days from the date of publication of this notice in Maharashtra Government Gazette. Any suggestion/objection shall be addressed to the Deputy Director of Town Planning, Aurangabad Division, Housing Board Building, 2nd Floor, near Printravel Hotel, Station Road, Aurangabad,
- (d) appoints the Deputy Director of Town Planning, Aurangabad Division, Aurangabad as an Officer under Section 31(2) of the said Act,
- (e) the Officer i.e. Deputy Director of Town Planning, Aurangabad Division, Aurangabad is directed to hear any such person in respect of suggestions and objections received by him in the stipulated period and to submit his report thereon to the State Government as early as possible.

By order and in the name of Governor of Maharashtra,



(Shivaji Patankar)

Under Secretary to Government

SCHEDULE OF MODIFICATIONS OF SUBSTANTIAL NATURE

Development Plan, Gangakhed (R+AA)

Accompaniment to the Notification No. TPS-3105/1357/CR-206(B)/2005/UD-30

Dated 17th July, 2006.

Part II

Sr. No	Excluded part	Site No/ Location	Proposal as per plan published under Section 26 of the Act	Proposal as per plan submitted to the State Government for sanction under Section 30 of the Act	Modification of substantial nature as Proposed by the State Government under Section 31 of the Act
1	2 EP-1	3. Existing Industrial zone	4 Existing Industrial zone	5 Site No. 87 "Shopping Centre & Vegetable Market"	6. Site No.87 is proposed to be rearranged and northern portion of Site No. 87 is proposed to be reserved as Site No.88 "Fire Brigades" as shown on plan. The remaining portion of the Site No. 87 will instated as "Shopping Centre & Vegetable Market".
2	EP-2	Site No.83	Burial Ground	Burial Ground	Site No.83 "Burial Ground" is proposed to be deleted from Survey No. 281 & the land so released is proposed to be included in No Development Zone and the Site No.83 "Burial Ground" is proposed to be shifted towards Southern Boundary of Site No.81 "Garden" upto 30.00 mt. Wide Ring Road as shown on plan.
3	EP-3	Site No.86	Mini Stadium & Shopping Centre	Mini Stadium & Shopping Centre	Part area under Survey No.103 (N.A.Plots) is proposed to be deleted from Site No.86 "Mini Stadium & Shopping Centre" and the land so released is proposed to be included in Residential Zone and remaining land is proposed to be reserved for "Mini Stadium & Shopping Centre" Site No.86 as shown on plan.
4	EP-4	Site No.1	Shopping Centre & Vegetable Market	Shopping Centre & Vegetable Market (Area 1.27 Hect.)	50% of the area i.e. 0.63 Hect. under Site No.1 "Shopping Centre & Vegetable Market" is proposed to be deleted and land so released is proposed to be included in Residential Zone Remaining 0.64 Hect area is retained as Site No.1
5	EP-5	Site No.4	Cultural Centre	Cultural Centre (Area 1.10 Hect.)	50% of the area under Site No.4 "Cultural Centre" is proposed to be deleted and land so released is proposed to be included in Residential Zone. Remaining 0.55 Hect area is retained as site No.4 as shown on Plan.

6	EP-6	Site No.29	Play Ground	Site No.29 "Play Ground" is proposed to be reinstated as per plan published under section 26 of the M. R. & T. P. Act, 1966.
विकास नियंत्रण नियमावलीवारत				
				PROPOSED MODIFICATIONS TO DEVELOPMENT CONTROL RULES.
EP-7		Following new definition is proposed to be added as Definition No. 2.5 A :- Floor Space Index (FSI) :- The quotient obtained by dividing the total built up area on all floors excluding areas as given in bye law No.20.6.2 by the area of the plot.		
		FSI = Total Built up Area on all floors		
		Plot Area		
EP-8		Following new item is proposed to be added after Rule No. 5.1 (e) (xi) New Rule 5.1 (e) (xii) : Give particulars of the parking provided and required under Regulation No. 21.		
EP-9		Rule No.9.4 is proposed to be deleted.		
EP-10		Following additional note is proposed to be added after Rule No. 20.3.2 as follows:- Note :- For buildings mentioned above, maximum FSI allowed shall be 1.00. (Ref.: DTP ,MS,Pune's Circular No.Dev.Permission/TPV-777880, dated 18 th November 2000)		
EP-11		Following new subrule is proposed to be added in Rule No.20.3.3. Sub Rule No.20.3.3 (a) :- For any of the above type of buildings, built up area on all floors shall not exceed the net plot area		
EP-12		Following new entry proposed to be added after Rule No.20.7.2 (e) :- Rule No.20.7.2 (e) :- (f) : Area of one fitness centre for a Co-op. Housing Society or Apartment Owners Association as provided in sub-regulation 22.11.3 (Ref. Government in Urban Development Department, Order No.TPB 4303/13/CR-249/03/UD-11, dated 17 th June 2004.)		
EP-13		Following new Sub-regulation vide No.22.11.3 is proposed to be added after sub-regulation No.22.11.2. sub-regulation No.22.11.3 : In every residential building constructed or proposed to be constructed for the use of a Co-operative Housing Society or an Apartment Owners Association; a fitness centre room will be permitted. The area of the room shall be limited to 2 (two) percent of the total built up area of building or 20 Sq.Mt. whichever is more. It shall not be used for any other purpose, except for fitness activities and its ownership shall vest to Society or Association. (Ref. Government in Urban Development Department, Order No.TPB 4303/13/CR-249/03/UD-11, dated 17 th June 2004.)		
EP-14		In Appendix C proposed to be amended as under :- In paragraph C-2 under the heading "ARCHITECT" in sub-paragraph C-1.1 under the heading "QUALIFICATION" the words and letters "Schedule XIV" of the words "the SCHEDEULE" shall be substituted; In Paragraph C-6, under the figures and letters "ending on the 31 st of December" shall be inserted; to sub-paragraph C-6.2, under the heading "Licensing fees", the following proviso shall be added at the end, namely - " Provided that an architect duly registered with the Council of Architecture constituted under the Architect Act, 1972 (20 of 1972) shall not be required to pay any licensing fee" (Ref. : Government in Urban Development Department, Notification No.TPB-4383/4069/UD-5, dated 21 st May, 1987)		

EP-15	G-6.1 (11) Industrial use (may be permitted as per rules of Standardized building bye laws and Development Control rules for B class Municipal Council) ना विकास क्षेत्रात औद्योगिक वापर अनुमते करण्यासाठी प्रमाणित विकास नियंत्रण नियमावलीत G-6 मध्ये G.6.1(8) आलील वापर (work) समर्हिण करणे योग्य वाटते.			
EP-16	After Rule No. G-7.1 of Bye law No. 20.1 of Bye laws of D.C.Rules following new rule is proposed to be added. New Rule No. G-8-1 :- The lands of Government/Semi Government/ Public Institutions which are included in Public Semi public zone commercial use shall be allowed subject to following conditions :- 1) Maximum 15% of the existing built up area may be allowed for commercial purpose. 2) Commercial use shall be permitted along the roadside. 3) Separate access shall be required for both the uses. (Public, Semi public use and commercial use) 4) Basement shall not be permitted. 5) Openings on rear side facing towards remaining premises shall not be allowed (closed by dead wall)			
EP-17	नगर पालिकेने प्रस्तावित केल्याप्रमाणे समावृत्तक आरक्षणीयी नियमावलीतील Appendix M फृण्ट प्रभागात समाविष्ट करतेली आहे, या समावृत्तक आरक्षणीयाच्या नियमावलीतील अ.क्र. १ (क) सार्वजनिक घरे आणि विश्वापितासाठी घरे बाबत रकाना क.४ मध्ये अ.क्र. (i) मध्ये total land एव्यं नेट land असा बदल करणे व या गियम क्र. १ (क) मध्ये अ.क्र. (iii) अन्वये गुडीलागाणे अट समाविष्ट करण्यात यावी. (iii) Out of above said two options, one option shall be allowed at a time. No change will be permitted in such one sanctioned option regarding partial area. (Ref. : Government in Urban Development Department, Order No. TPS 1198/982/CR-325/UD-9, dated 30 th May 2001)			
EP-18	Land uses and manner of Development are Specifically shown in Appendix "M" of Gangakhed D.C.R. Out of these, uses at Sr. No. I (d), II (b) III, V (b), (c), (f), VI (e), VII (a), (b), (c), (e), (f), (i), VIII are proposed to be deleted. The following new uses and manner of development are proposed to be added under Appendix "M" after Sr. No. VIII.			
Sr. No	Use Designation or Reservation	Person (Allocation, or who may develop	Authority	Condition subject to which development is Permissible
1	2	3	4	5
1	Shopping Centre (SC) & Vegetable Market	Municipal Council or Owner	OR	(1) The Municipal Council may acquire the land & develop the Reservation, OR (2) The Owner may be permitted to develop the Shopping Centre & Veg. Market, provided on 10% of the area under reservation, Vegetable galas of minimum size each 2.5X2 m. be constructed. Shops are to be constructed on the remaining land. Out of the above constructed Veg galas/Shops, 25% of each Veg. Market Blocks & Shops are to be handed over to the Municipal Council, on payment of cost of construction plus 15% thereof, OR, by his agreeing to hand over free of cost, such 25% of Shops/ Veg. galas to the Municipal Council, in which case FSI equivalent to the built up area to be surrendered free of cost, shall be available to Municipal Council or the owner on the remaining plot over & above the normal permissible FSI.
2	Weekly Shopping Centre	Municipal Council and Owner	OR	(1) The Municipal Council may acquire the land & develop the reservation, (2) M.C. may acquire as per Act 75% of the area under reservation (however, such acquisition area shall be at least 1.50 Hect. if the area under reservation is less than 1.50 Hect, total area under reservation be acquired) and after paying due compensation as per Act to the owner, M.C. may develop Weekly Market on the above land. The owner may develop Shopping Centre

<p>on the remaining land on his agreeing to give 25% of the Shops to the M.C. on payment of cost of construction + 15% thereof, or by his agreeing to handover free of cost such 25% of Shops to the M.C., in which case FSI equivalent to the built up area to be surrendered free of cost shall be available to the owner on the remaining plot over and above the normal permissible FSI.</p>		
3	Balak Mandir & Kinder Garden	Municipal Council or Owner
		<p>1) The M.C. may acquire and develop Balak Mandir & Kinder Garden, OR 2) M.C. may entrust the amenity to a Registered Educational Institutions or Trust, OR 3) The owner may be allowed to develop Balak Mandir or Kinder Garden and operate it himself or entrust its operations to Registered Educational Institutions or trust.</p>
4	Children's Park	Municipal Council or Owner
5	Cultural Centre & Library	Municipal Council or Owner
		<p>(1) The Municipal Council may acquire the land & develop the Reservation, OR 2) The M.C. may acquire as per Act 75% area under reservation (However such acquisition area shall be at least 0.3 Hect, If the area under reservation is less than 0.3 Hect, total area under reservation be acquired) and after paying due compensation as per Act to the Owner, M.C. may develop Cultural Centre (of at least 300 seats) on the above said land. If the remaining area is at least 0.10 Hect, then the owner may be permitted to develop Library on this land. In that case the owner shall build Library on 20% area of the remaining land as per the specifications decided by the Divisional Deputy Director Town Planning & hand over it free of cost to M.C. The location of the library shall be on the Ground or First floor. Thereafter the remaining land (of which 20% area is developed as library) may be put to use as permissible in adjacent land and owner will be entitled to have total permissible FSI of the above mentioned remaining land.</p>
6	Municipal Council Cultural Offices, Centre & Library	Municipal Council or Owner
7	Cultural Centre	Municipal Council or Owner
		<p>(1) The Municipal Council may acquire the land & develop the Reservation, OR 2) The M.C. may acquire as per Act 75% area under reservation (However such acquisition area shall be at least 0.3 Hect, if the area under reservation is less than 0.3 Hect, total area under reservation be acquired) and after paying due compensation as per Act to the Owner, M.C. may develop Cultural Centre (of at least 300 seats) on the above said land. If the remaining area is at least 0.10 Hect, then the owner may be permitted to develop Library on this land. In that case the owner shall build Library on 20% area of the remaining land as per the specifications decided by the Divisional Deputy Director Town Planning & hand over it free of cost to M.C. The location of the library shall be on the Ground or First floor. Thereafter the remaining land (of which 20% area is developed as library) may be put to use as permissible in adjacent land and owner will be entitled to have total permissible FSI of the above mentioned remaining land.</p>

2) The Municipal Council may develop Cultural Centre as per Standard Development Control Regulation (minimum 300 seats) on Reserved land and if FSI remains remaining FSI may be utilised to develop Commercial purpose and offices (in confirmation with other provision of Standard Development Control Rules

		Municipal Council	Municipal Council	
8	Municipal offices, Shopping Centre and parking	Municipal Public Authority	Municipal Council	
9	Truck Terminal	Municipal /Owner/ Authority	Council Public Planning	The Municipal Council may acquire the land and develop the reservation 15% of the area under reservation maybe developed by the owner as approved by the Dy Director of Town Planning Aurangabad and hand over it to the thereafter the remaining land (of which 15% area is developed for Health Centre) may be put to use as permissible in adjacent land and the owner will be entitled to use total permissible FSI of the total reserved land.
10	Health Centre			The Municipal Council may acquire the land and develop the reservation If 10% area for Health Centre and 20% area for Maternity Home of the area under reservation is developed by the owner as per approval by the Dy. Director Town Planning Aurangabad and hand over it to the Municipal Council free of cost then the owner may develop the land as per permissible use in the adjacent land. Under reservation using total permissible FSI on that land If Health Centre and Maternity Home is a combined reservation in one place then the owner may develop 25% of the area for Health Centre and Maternity Home and hand over it to the Municipal Council free of cost then the owner may develop the remaining land under reservation land under reservation in confirming to the surrounding use utilising permissible FSI for the full area under reservation
11	Health Centre and Maternity Home	Municipal owner	Municipal Council	The Municipal Council may acquire the land and develop the reservation Any registered Trust may be permitted to develop this amenity as per norms and conditions prescribed by the Chief Officer, Municipal Council.
12	Dharmashala	Municipal Registered Trust	Council/ Registered Trust	EP-19. विकास गोजना अहवालिमध्ये नियमावलीमध्ये Chapter १३ पृष्ठ क्र.३१ (ii) (iii) व (iv) मध्ये नियम क्र.१६ व २० मध्ये नमुद केलेल्या तरतुदी या व व कर्तव्य नगर परिषदेच्या प्रवतित बाधकाम नियंत्रण सर्वसाधारणणे साम्य असल्याने व त्या बाबतचे अधिकार संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे यांना प्रदान असल्याने या तरतुदी बाबत रांगूनी महाराष्ट्रात सुभूत असणाऱ्या दृष्टीने या तरतुदी बाबत.
EP-20				EP- Following Appendices are proposed to be inserted :- Appendix R :- Special Regulations for IT/ITES mentioned in Appendix (enclosed herewith) (Ref. : Government, Urban Development Department, Order No. MISC TPS 2004/687/CR 26/2004/UD-13, dated 20 th May 2004) Appendix S :- Regulation for Biotechnology Unit :- Biotechnology unit will be permitted, subject to regulations mentioned in Appendix (enclosed herewith) (Ref. : Government, Urban Development Department, Order No. TPB 4302/818/CR 88/2002/UD-12, dated 10 th October, 2002 & Order dated 17 th March 2003)

APPENDIX - R

Special Regulations for Development of IT/ITES

1. R-1 *Definition* :

In the context of the policy, the Information Technology Industry, industry, IT services and IT Enabled Services as defined below :-
IT Taskforce of Government of India has defined IT software as follows :-

- a) **IT Software** : IT Software is defined as any representation of instruction, data, sound or image, including source code and object code, recorded in a machine readable form and capable of being manipulated or providing interactivity to a user, with the means of a computer.
- b) **IT Hardware** : IT Hardware covers approximately 150 IT products notified by Directorate of Industries.
- c) **IT Services and IT Enabled Services** : These includes various IT services and are defined by the IT Taskforce of the Government of India as follows :-

“ IT Service including IT Enabled Service is defined as any unit that provides services, that result from the use of any IT Software over a Computer System for realizing any value addition”

The Directorate of Industries has prepared and published an illustrative list of such IT Enabled Services which is to be updated from time to time.

2. R-1.2 *Height of the Room for I.T.E* :

Notwithstanding any thing contained in these regulations, any telematic equipment storage erection facility can have a height as required for effective functioning of that system.

3. R-1.3 *Covered Antenna to be Free of FSI* :

Any covered Antenna/Dish Antenna/communication Tower will be allowed to be erected free of FSI, if it is used for Telecom (basic Cellular or Satellite Telephone) or ITE purpose which shall include equipment relating to Earth Station, V-Sat, Routes, Transponders and similar ITE related structures or equipment.

4. R-1.4 *I.T.E.s to be allowed in Residential Zone* :

“Notwithstanding any thing contained in these regulations, IT/ITES on the plots/ premises fronting on roads having width more than 12.00 Mt.” shall be allowed.

5. R-1.5 *I.T.E.s to be allowed in Industrial Zone (I-1)* :

IT/ITES shall be permitted in I-1 Zone & Services Industrial Estates on all plots fronting on roads having width more than 12.00 Mt.

6. R-1.6 *I.T.E.s to be allowed in General Industrial Zone (I-2) & Special Industrial Zone (I-2)* :

IT/ITES shall be permitted on all plots fronting on roads having width more than 12.00 Mt.

7. **R-1.7 I.T.Es to be allowed in No Development Zone/Green Zone earmarked in the Development Plan :-**

Development Plan of IT/ITES with ancillary residential development shall be allowed in No Development Zone subject to the following conditions: -

- (a) The total FSI shall not exceed 0.20
- (b) Residential Development shall not exceed one third of the total built up area.
- (c) Construction of I.TE/Ancillary residential use may be permitted (in suitable location so as to keep as much as remaining space open) upto 20 percent on 10 percent of the area of plot. On remaining 90 percent plot, trees shall be planted at the rate of 500 trees per hectare.
- (d) Sub-division of land shall be permitted with the area of plot to be sub-divided being not less than 4000 Sq.Mt.

8. **R-1.8 Additional FSI to IT/ I.T.E.s :-**

Subject to approval by Director of Industries, the Commissioner/Chief Officer or as the case may permit the Floor Spaces Indices specified in these regulations to be exceeded to the extent of 100 percent over and above the permissible FSI as under (including for IT/ITES units located in No Development Zone/Green Zone/Agricultural Zone proposed in the Development Plan or Regional Plan.

- (i) 100 percent additional FSI shall be made available to all IT/ITES units in public IT parks.
- (ii) 100 percent additional FSI shall be made available to all registered IT/ITES units located in private IT parks approved by the Director of Industries.
- (iii) Permission for erecting towers and antenna upto the height permitted by the Civil Aviation Department shall be granted by the concerned municipal bodies at the time and as a part of approval of building plan itself.

9. **R-1.9 General Terms/Conditions applicable for Development of IT/ITES units :**

- (i) Additional FSI to IT/ITES would be available only upon full utilization of basic admissible FSI.
- (ii) Additional FSI to IT/ITES parks duly approved by the Director of Industries.
- (iii) The additional FSI shall be granted upon payment of premium which shall be paid in the manner as may be determined by the Government. Such premium shall be recovered at the rate of 25 percent of the present day market value of the land under reference as indicated in the Ready Reckoner.
- (iv) 25 percent the total premium shall be paid to the Government and remaining 75 percent amount shall be paid to the said respective Municipal Corporation, Municipal Councils, Special Planning Authority or New Town Development Authority. Where no such Planning Authority exists, the share of premium shall be paid to the MIDC.
- (v) The premium so collected by the Planning Authorities/MIDC shall be primarily used for development/upgradation of all sites infrastructures required for IT/ITES park and the utilization of this premium shall be monitored by the empowered committee.
- (vi) In the event, the developer comes forward for provision of such of site infrastructure at his own cost, then the respective Planning Authority or the MIDC as the case may be shall determine the estimated cost of the works and shall also prescribed the standards for the work. After completion of the works, the said Planning Authority/MIDC shall verify as to whether the same is as per prescribed standards and thereafter, by deducting the cost of works, the balance amount of premium shall be recovered by the said Planning Authority/MIDC.

(vii) **Users/Services ancillary to the IT/ITES** : While developing site for IT/ITES with additional FSI, users ancillary to the principal user as may be approved by the Directorate of Industries shall also be allowed.

(viii) **No condonation in the required open spaces, parking and other requirements prescribed in these regulations shall be allowed in case of such additional FSI.**

APPENDIX S

Regulation for Biotechnology Unit

1) Definition of Biotechnology Unit :

The Biotechnology Unit shall mean and include Biotechnology units which are certified by the Development Commissioner (Industries) or any other Officer authorized by him in this behalf.

2) Biotechnology Unit is to be allowed in Industrial Zone i.e. I-1, I-2 and I-3 :

Biotechnology unit shall be permitted on all plots fronting on roads having width more than 12 Mt.

3) Additional FSI to Biotechnology Unit :

The Commissioner may permit the Floor Space Indices specified in the Building Byelaws & Development Control Rules to be exceeded by 100% in respect of buildings in independent plots of Biotechnology establishment set up by Public Bodies like MHADA, SIEEPZ, MIDC, SICOM, STP or their joint venture companies having more than 11% stake of these bodies or lessees of this public bodies having plots exclusively used for Biotechnology units subject to terms and conditions as he may specify.

Provided in case additional FSI allowed in respect of Biotechnology unit as aforesaid, premium as may be determined by Government shall be paid to the Corporation out of which 50% shall be payable to the Government
